

**MINUTES OF THE  
SENATE JUDICIARY, LAW ENFORCEMENT & CRIMINAL JUSTICE  
STANDING COMMITTEE**

Room 250, Utah State Capitol

March 3, 2016

**Members Present:** Sen. Mark B. Madsen, Chair  
Sen. Luz Escamilla  
Sen. Lyle W. Hillyard  
Sen. Daniel W. Thatcher  
Sen. Stephen H. Urquhart  
Sen. Todd Weiler

**Member Excused:** Sen. Gene Davis

**Staff Present:** Mr. Nathan Brady, Policy Analyst  
Ms. Nancy Skidmore, Committee Secretary

**NOTE:** A list of visitors and a copy of handouts are filed with the committee minutes.

Chair Madsen called the meeting to order at 4:18 p.m.

**MOTION:** Sen. Weiler moved to approve the minutes of the February 29, 2016 meeting. The motion passed unanimously with Sen. Davis, Sen. Hillyard, Sen. Thatcher and Sen. Urquhart absent for the vote.

**H.B. 101S02 Disabled Adult Guardianship Amendments (*Rep. F. Cox*)**

Rep Cox explained the bill to the committee.

Spoke against the bill: Mr. Steven Foxly, Utah State Bar  
Mr. Andrew Riggle, Public Policy Analyst, Disability Law Center  
Mr. Greg Misener, Attorney, Elder Law Section

**MOTION:** Sen. Hillyard moved to pass the bill out favorably. The motion passed with Sen. Escamille and Sen. Weiler voting in opposition and Sen. Davis absent for the vote.

**H.B. 136S01 Human Trafficking Amendments (*Rep P. Ray*)**

Rep. Ray explained the bill to the committee.

Spoke to the bill: Mr. Paul Boyden, Statewide Association of Prosecutors

Spoke against the bill: Ms. Alana Kindness, Director, Utah Coalition, of Sexual Assault  
Mr. Marina Lowe, Legislative and Policy Counsel, American Civil Liberties Union

**MOTION:** Sen. Urquhart moved to amend the bill by deleting lines 133 through 145. The motion passed with Sen. Hillyard and Sen. Weiler voting in opposition.

**MOTION:** Sen. Thatcher moved to pass the bill out favorably. The motion failed with Sen. Hillyard and Sen. Thatcher voting in favor of the bill.

**H.B. 279S02 Statute of Limitations Reform Amendments (*Rep. K. Ivory*)**

Rep Ivory explained the bill to the committee.

Spoke for the bill: Ms. Deandra Brown, President, Survivors of Abuse  
Professor Marci Hamilton, Attorney  
Ms. Deane Tilton  
Ms. Katherine Guine, KTalk Radio

**MOTION:** Sen. Escamilla moved to pass the bill out favorably. The motion passed unanimously with Sen. Davis, Sen. Hillyard and Sen. Weiler absent for the vote.

**S.B. 90S03 Falsification of Information in a Protective Order Proceeding (*Sen. A. Jackson*)**

**MOTION:** Sen. Thatcher moved 3<sup>rd</sup> Sub. S.B. 90 with 4<sup>th</sup> Sub. S.B. 90. The motion passed unanimously with Sen. Davis, Sen. Hillyard and Sen. Weiler absent for the vote.

Sen. Jackson explained the bill to the committee.

Spoke to the bill: Ms. Dani Hartvigsen, Attorney

Spoke for the bill: Mr. Dan Duele, National Parents Organization

Spoke against the bill: Mr. Paul Boyden, Statewide Association of Prosecutors  
Mr. Rick Schwermer, Utah State Courts  
Ms. Keri Gardner, Legal Aid Society of Salt Lake City  
Mr. Gary Scheller, Director, Office of Victims of Crime

**MOTION:** Sen. Thatcher moved to amend the bill as follows:

I. *Page 6, Lines 176 through 180:*

176 the petition was filed within 45 days after the court dismisses or vacates a protective order.

177 ~~{(e) The court shall, if the party who filed the petition described in Subsection~~  
~~(3)(a)~~

~~178 agrees, refer any evidence of falsification to the district attorney or county attorney for~~  
~~179 screening of criminal charges.}~~

180 (4) Notice of a motion to dismiss a protective order shall be made by personal service

2. *Page 9, Lines 245 through 249:*

245 vacated.

246 ~~{(6) The court shall, if the party who filed the petition described in Subsection (1)~~

~~247 agrees, refer any evidence of falsification to the district attorney or county attorney for~~

~~248 screening of criminal charges.}~~

249 Section 7. Section **78B-7-207** is amended to read:

The motion passed with Sen. Madsen and Sen. Escamilla voting in opposition and Sen. Hillyard absent for the vote.

**MOTION:** Sen. Urquhart moved to pass the bill out favorably. The motion passed with Sen. Escamilla and Sen. Davis voting in opposition and Sen. Hillyard and Sen. Weiler absent for the vote.

**S.B. 223 Adoption Amendments (*Sen. T. Weiler*)**

Sen. Weiler explained the bill to the committee.

Spoke to the bill: Mr. Derek Williams, President, Utah Adoption Counsel

**MOTION:** Sen. Weiler moved to pass the bill out favorably. The motion passed unanimously

**S.B. 229 Unlawful Detainer Amendments (*Sen. T. Weiler*)**

Sen. Weiler explained the bill to the committee.

**MOTION:** Sen. Davis moved to pass the bill out favorably. The motion passed unanimously with Sen. Hillyard and Sen. Urquhart absent for the vote.

**S.B. 230 Civil Stalking Offense Amendments (*Sen. T. Weiler*)**

Sen. Weiler explained the bill to the committee.

**MOTION:** Sen. Davis moved to pass the bill out favorably. The motion passed unanimously with Sen. Hillyard and Sen. Urquhart absent for the vote.

**S.B. 226 Civil Actions Involving Law Enforcement Officers or Emergency Vehicle Operators (*Sen. M. Madsen*)**

This bill was not considered.

**MOTION:** Sen. Davis moved to adjourn. The motion passed unanimously with Sen. Hillyard and Sen. Urquhart absent for the vote.

Chair Madsen adjourned the meeting 6:03 p.m.

